

**ASSEMBLY BILL**

**No. 160**

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**Introduced by Assembly Member Hayashi**

January 27, 2009

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An act to amend Sections 128385 and 128390 of the Health and Safety Code, relating to nurses.

LEGISLATIVE COUNSEL'S DIGEST

AB 160, as introduced, Hayashi. Registered nurses: education program.

Existing law establishes within the Health Professions Education Foundation, a nonprofit public benefit corporation, the Registered Nurse Education Program, which provides scholarships or loan repayment for registered nursing students who agree in writing prior to graduation to serve in an eligible county health facility, as defined, an eligible state-operated health facility, as defined, a health workforce shortage area, or a California nursing school, as specified.

This bill would expand that program to include registered nursing students who agree to serve in a kindergarten or grades 1 to 12, inclusive, school. The bill would also make nonsubstantive, technical changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 128385 of the Health and Safety Code  
2     is amended to read:

1 128385. (a) There is hereby created the Registered Nurse  
2 Education Program within the Health Professions Education  
3 Foundation. Persons participating in this program shall be persons  
4 who agree in writing prior to graduation to serve in an eligible  
5 county health facility, an eligible state-operated health facility, a  
6 health workforce shortage area, or a California nursing school, as  
7 designated by the director of the office, *or in a kindergarten or*  
8 *grades 1 to 12, inclusive, school*. Persons agreeing to serve in  
9 eligible county health facilities, eligible state-operated health  
10 facilities, ~~or~~ health workforce shortage areas, *or kindergarten or*  
11 *grades 1 to 12, inclusive, schools*, and master's or doctoral students  
12 agreeing to serve in a California nursing school may apply for  
13 scholarship or loan repayment. The Registered Nurse Education  
14 Program shall be administered in accordance with Article 1  
15 (commencing with Section 128330), except that all funds in the  
16 Registered Nurse Education Fund shall be used only for the purpose  
17 of promoting the education of registered nurses and related  
18 administrative costs. The Health Professions Education Foundation  
19 shall make recommendations to the director of the office  
20 concerning both of the following:

21 (1) A standard contractual agreement to be signed by the director  
22 and any student who has received an award to work in an eligible  
23 county health facility, an eligible state-operated health facility, ~~or~~  
24 ~~in~~ a health workforce shortage area, *or a kindergarten or grades*  
25 *1 to 12, inclusive, school*, that would require a period of obligated  
26 professional service in the areas of California designated by the  
27 California Healthcare Workforce Policy Commission as deficient  
28 in primary care services. The obligated professional service shall  
29 be in direct patient care. The agreement shall include a clause  
30 entitling the state to recover the funds awarded plus the maximum  
31 allowable interest for failure to begin or complete the service  
32 obligation.

33 (2) Maximum allowable amounts for scholarships, educational  
34 loans, and loan repayment programs in order to assure the most  
35 effective use of these funds.

36 (b) Applicants may be persons licensed as registered nurses,  
37 graduates of associate degree nursing programs prior to entering  
38 a program granting a baccalaureate of science degree in nursing,  
39 or students entering an entry-level master's degree program in  
40 registered nursing or other registered nurse master's or doctoral

1 degree program approved by the Board of Registered Nursing.  
2 Priority shall be given to applicants who hold associate degrees in  
3 nursing.

4 (c) Registered nurses and students shall commit to teaching  
5 nursing in a California nursing school for five years in order to  
6 receive a scholarship or loan repayment for a master's or doctoral  
7 degree program.

8 (d) Not more than 5 percent of the funds available under the  
9 Registered Nurse Education Program shall be available for a pilot  
10 project designed to test whether it is possible to encourage  
11 articulation from associate degree nursing programs to  
12 baccalaureate of science degree nursing programs. Persons who  
13 otherwise meet the standards of subdivision (a) shall be eligible  
14 for educational loans when they are enrolled in associate degree  
15 nursing programs. If these persons complete a baccalaureate of  
16 science degree nursing program in California within five years of  
17 obtaining an associate degree in nursing and meet the standards  
18 of this article, these loans shall be completely forgiven.

19 (e) As used in this section, "eligible county health facility"  
20 means a county health facility that has been determined by the  
21 office to have a nursing vacancy rate greater than noncounty health  
22 facilities located in the same health facility planning area.

23 (f) As used in this section, "eligible state-operated health  
24 facility" means a state-operated health facility that has been  
25 determined by the office to have a nursing vacancy rate greater  
26 than noncounty health facilities located in the same health facility  
27 planning area.

28 (g) *The "direct patient care" requirement in paragraph (1) of*  
29 *subdivision (a) shall not be construed to prohibit a school nurse,*  
30 *as described in Section 49426 of the Education Code, from*  
31 *performing services specified in that section, including, but not*  
32 *limited to, teaching.*

33 SEC. 2. Section 128390 of the Health and Safety Code is  
34 amended to read:

35 128390. The funds made available pursuant to this article shall  
36 be used as specified in ~~Article 14 (commencing with Section~~  
37 ~~69795) of Chapter 2 of Part 42 of the Education Code Article 1~~  
38 ~~(commencing with Section 128330)~~, except that the funds shall be  
39 used only for the purpose of assisting students in completing

- 1 nursing programs meeting the standards specified in subdivision
- 2 (j) of Section ~~69799~~ of the Education Code *128350*.

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